

LTD; LIFE OF RILEY PRIVATE LIMITED;
LIFE OF RILEY INTERNATIONAL INC.;
POOJA SHARMA; and DOES 1–50;

Defendants.

23cv7284

~~[PROPOSED]~~ FINAL JUDGMENT AND
PERMANENT INJUNCTION AS TO SARISA FORD

On August 17, 2023, Plaintiffs Pearson Education, Inc. (“Pearson”), Bedford, Freeman & Worth Publishing Group, LLC d/b/a Macmillan Learning (“Macmillan Learning”), Macmillan Holdings, LLC (“Macmillan Holdings”), Cengage Learning, Inc. (“Cengage”), Elsevier Inc. (“Elsevier”), Elsevier B.V., and McGraw Hill LLC (“McGraw Hill”) (collectively, “Original Plaintiffs”) filed a Complaint in this case asserting claims for copyright infringement pursuant to the Copyright Act, 17 U.S.C. §§ 101 *et seq.*, and claims for trademark infringement pursuant to the Lanham Act, 15 U.S.C. §§ 1114(1) *et seq.*, which identified Sarisa Ford (“Ford”) as a Doe Defendant. Pursuant to an Amended Complaint filed on October 23, 2023, Jones & Bartlett Learning, LLC (“Jones & Bartlett Learning”), the American Psychological Association (“APA”), and Wolters Kluwer Health, Inc. (“Wolters Kluwer”) (collectively, with Original Plaintiffs, “Plaintiffs”) joined as plaintiffs in this action. Plaintiffs and Ford indicate that they agreed to settle the matter. In connection therewith, Plaintiffs and Ford have jointly stipulated to entry of this Final Judgment and Permanent Injunction.

NOW, THEREFORE, it is hereby:

- I. ORDERED** that final judgment is **ENTERED** for Plaintiffs against Ford as to the transactions, copyrighted works, and trademarks appearing on such copyrighted works described in Exhibit 1 hereto (“Resolved Claims”). The parties shall bear their own costs and expenses, including attorneys’ fees, in connection with this

final judgment. This final judgment resolves the Resolved Claims with prejudice. No other claims against Ford are resolved or adjudicated by this final judgment, nor are such other claims asserted in this case at this time. Accordingly, upon the entry of this final judgment, this action is terminated as to Ford.

II. FURTHER ORDERED that a permanent injunction is **ENTERED** in this action as follows:

- a. Ford, her officers, agents, employees, and attorneys, and all those in active concert or participation with any of them, who receive actual notice of this Permanent Injunction, are permanently enjoined from:
 - i. Directly or indirectly infringing any of the Publishers' Copyrighted Works¹;
 - ii. Directly or indirectly infringing any of the Trademark Plaintiffs' Marks²;
 - iii. Without limiting the foregoing, copying, reproducing, or manufacturing copies of any of Publishers' Copyrighted Works or importing, downloading, uploading, transmitting, distributing,

¹“Publishers' Copyrighted Works” means any and all textbooks, test banks, solutions manuals, or other copyrighted works, or portions thereof, whether now in existence or later created, regardless of media type, the copyrights to which are owned or exclusively controlled by any of the Plaintiffs or their parents, subsidiaries, affiliates (excluding for Macmillan Learning, its affiliates and its parents other than its immediate parent company, Macmillan Holdings), predecessors, successors, and assigns, whether published in the United States or abroad, except that Elsevier B.V. and Macmillan Holdings do not assert copyright claims in this case and are therefore excluded from this definition.

² “Trademark Plaintiffs” means Cengage, Elsevier, Elsevier B.V., Macmillan Holdings, McGraw Hill, Pearson, Jones & Bartlett Learning, APA, and Wolters Kluwer. “Trademark Plaintiffs' Marks” means any and all trademarks, whether now in existence or later created, owned by the Trademark Plaintiffs or their parents, subsidiaries, affiliates, predecessors, successors, and assigns (excluding for Macmillan Holdings, its parents, subsidiaries, and affiliates).

selling, offering for sale, advertising, marketing, promoting, or otherwise exploiting infringing copies of any of the Publishers' Copyrighted Works and/or goods bearing infringing copies of the Trademark Plaintiffs' Marks or;

- iv. Enabling, facilitating, permitting, assisting, soliciting, encouraging, or inducing others to engage in the acts described in paragraphs II.a.i-iii above.

III. **FURTHER ORDERED** that the Court retains jurisdiction for the purpose of enforcing this Order.

IV. **FURTHER ORDERED** that this Order replaces the Court's Preliminary Injunction issued in this case as to Ford.

SO ORDERED this the 24 day of November 2023.



Honorable Paul A. Crotty
UNITED STATES DISTRICT JUDGE